

REMARKS

This is in response to the non-final Office Action mailed December 14, 2006. For at least the reasons stated below, Applicants submit the claims are in condition for allowance and patentable over the prior art of record.

Amendment / Objection to the Specification

The Examiner objects to the specification based upon a number of informalities. Applicant amends the specification in accordance with the Examiner-noted informalities. In view thereof, withdrawal of the objection is respectfully requested.

Amendment / Objection to the Claims

The Examiner objects to pending claims 2 through 39 as misnumbered, which have been renumbered by the Examiner. Additionally, the Examiner objects to claims 2, 15 and 28 based upon noted informalities.

Applicant hereby amends claims 1, 11 through 20, 22, 24 through 33, and 35 through 39 and cancels claims 8, 21 and 34. Independent claims 1, 14 and 27, as amended do not recite any additional subject matter beyond the specification as originally filed, but rather incorporate limitations of previously pending claims 8, 21 and 34, respectively. Additionally, claims 1, 14 and 27 have been amended to provide further clarification regarding the present invention, specifically how the authorization enforcement code is derived. This amendment is not made to overcome the prior art of records, but rather merely seeks to provide further clarification and delineation of the claimed invention.

Pending claims 11 through 13, 24 through 26, and 37 through 39 have been amended to update terminology in view of the amendment of independent claims 1, 14 and 27. Pending claims 15 through 20, 22, 24 through 26, 28 through 33, and 35 through 39 have been amended to conform to the Examiner's renumbering as well as to overcome the Examiner's objections based upon informalities.

Rejection of Claims under 35 U.S.C. §102(e)

The Examiner rejects pending claims 1-39 as being anticipated by U.S. patent No. 6,865,735 (hereinafter referred to as "Sirer") under 35 U.S.C. § 102(e). Applicant respectfully submits the rejection is improper because Sirer fails to identically disclose all of the claimed limitations, explicitly or inherently.

As understood, the Sirer system uses the rewrite engine to dynamically update software code including security or enforcement provisions. The Sirer system provides security between site-specific software relative to a target host. The Sirer system uses a site-specific database to analyze the dynamically adjusted code.

By contrast, the system of claim 1 recites a system for providing an authorization framework for an application including one or more declarations for specifying authorization enforcement points for one or more target classes in an application and one or more declarations selected from the group consisting of a constant, a local variable and an instance variable for specifying one or more permission classes for the one or more authorization enforcement points. As claimed herein, the "authorization enforcement code" is "derived from the one or more declarations for specifying **one or more permission classes** for the one or more authorization enforcement points."

(emphasis added). Claims 14 and 27 recite substantially similar elements to those of claim 1.

Applicant respectfully asserts that Sirer discusses a binary rewriting engine which inserts code compiled from a comparison of properties to a site-specific database. In that regard, Sirer does not disclose the insertion of authorization enforcement code derived from the declaration selected from a group consisting of a constant, a local variable and an instance variable which specifies a permission class for an authorization enforcement point as specified in claims 1, 14, and 27. Sirer is silent as to this limitation and similarly this limitation is not inherent in Sirer because Sirer does not disclose using permission classes, such as claimed in claims 1 and 11-13. Rather, Sirer uses site-specific information based off of site-specific databases and thus would not need any class-type structure but rather uses site-specific coding and hence not the usage of the declaration from the claimed group.

More specifically, Sirer fails to identically disclose (explicitly or inherently) “one or more declarations selected from a group consisting of a constant, a local variable and an instance variable for specifying one or more permission classes,” and thereby fails to identically disclose (explicitly or inherently) “authorization enforcement code derived from the one or more declarations for specifying one or more permission classes.”

Similarly, claims 2-7, 9-13, 15-20, 22-26, 28-33 and 35-39 depend from claims 1, 14 and 27, respectively. These dependent claims recite additional features that further substantially distinguish the invention of the present application over the prior art of record. Given the Applicant’s position on the patentability of the independent claims,

however, it is not deemed necessary at this point to delineate such distinctions and as such submit that these claims are allowable for at least the same reasons stated above regarding claims 1, 14 and 27.

As such, Applicant respectfully requests reconsideration and withdrawal of the present rejection and the passage of pending claims to issuance.

Provisional Rejection of claims under Double Patenting

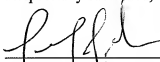
The Examiner rejects pending claims 1 through 3, 5 through 8, and 10 through 29 under the judicially created doctrine of double patenting over claims 1 through 9 of Application No. 09/907,848. Applicants note that this is a Provisional rejection as Application No. 09/907,848 is still pending. Although, in order to advance the prosecution of the present application, Applicant submits herewith a timely filed terminal disclaimer in compliance with 37 C.F.R. 1.321(c) to obviate provisional rejection.

For these reasons, the Applicant respectfully request that the Examiner withdraw all rejections and objections, and allowance of all the pending claims is respectfully solicited. To expedite prosecution of this application to allowance, the Examiner is invited to call the applicants' undersigned representative to discuss any issues relating to this application.

Dated: May 14, 2007

THIS CORRESPONDENCE IS BEING
SUBMITTED ELECTRONICALLY THROUGH
THE PATENT AND TRADEMARK OFFICE
EFS FILING SYSTEM ON MAY 14, 2007.

Respectfully submitted,



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